

Cloudy tonight (27°);  
partly cloudy and warmer  
tomorrow; variable winds.

# The Washington Times

IT IS THERE TODAY!  
No matter what your want may be, you will  
find some means of satisfying it if you search  
Today's Want Pages.

NUMBER 3548.

WASHINGTON, SATURDAY EVENING, FEBRUARY 27, 1904.

PRICE ONE CENT.

## MACHEN DENIED A NEW TRIAL

Justice Pritchard intimates That He May  
Sentence Conspirators for a Long  
Term of Years.

### THE LIMIT ON EACH COUNT IN INDICTMENT IS POSSIBLE

District Attorney's Office Demands Extreme  
Penalty—Argument to Be Heard This  
Afternoon—Defendants Crushed.

TWO YEARS IN THE MOUNDSVILLE PENITENTIARY AND \$10,000  
FINE FOR MACHEN, LORENZ, AND D. B. GROFF WAS THE SENTENCE  
IMPOSED BY JUSTICE PRITCHARD THIS AFTERNOON.

SAMUEL GROFF WILL NOT BE SENTENCED UNTIL HIS MOTION  
FOR A NEW TRIAL IS HEARD. JUSTICE PRITCHARD MADE NO COM-  
MENT IN PASSING SENTENCE.

Justice Pritchard, after denying the  
motions for a new trial and an arrest  
of judgment, this morning, said, just as  
court took a recess:

"The jury has rendered its verdict of  
guilty on all the twelve counts in the  
indictment, and I am in accord with that  
verdict. I do not think the penalty  
laid down in the statute for conspiracy  
is adequate in this case. The attorneys  
will bring authorities here after recess  
to discuss whether a penalty can be im-  
posed for each count in the indictment,  
or merely for one count."

Blow to Defendants.

This statement was a tremendous blow  
to the defendants, who gathered from  
it that Justice Pritchard intended to give  
them at least the maximum penalty of  
two years in the penitentiary and a fine  
of \$10,000.

All of the four defendants were over-  
whelmed by the intimation from the  
bench. Machen leaned forward, with  
the most bitter expression, and the  
blood rushed to his face as if he were  
about to have a stroke of apoplexy. His  
three co-defendants abandoned for the  
moment their air of quiet dignity and  
anxiously inclined their heads to take  
in every word of the intimation of the  
punishment about to be meted out to  
them. The attorneys for the defense  
were also alarmed by the manifest in-  
tention of the justice to give them a pen-  
alty much heavier than that which had  
been imposed upon any of those who  
have yet been tried for the Postoffice  
frauds.

C. A. Douglass, for the defense,  
bitterly denied the right this morn-  
ing of the court to impose sentence  
for each count. He said that such a  
ruling would place the defendant in a  
criminal action at the mercy of the  
prosecutor, and opportunity would be  
afforded for evading the maximum  
penalty which the law intends to im-  
pose.

He pointed out that the indictment in  
the Machen trial could have been drawn  
so as to contain fifty-six counts, in  
which case the extreme penalty would  
be 112 years and \$559,000. The conspiracy  
was the thing charged by the Govern-  
ment, and the overt acts merely tended  
to keep it alive. There was not a sepa-  
rate conspiracy for each count, and the  
prosecution had never contended that  
there was.

## Expressions of Opinion As to Machen Verdict

"Outrage"—Machen.

Machen said this morning:  
"If we had received the same fair and  
impartial treatment from the jury that  
we got from the court, we would have  
been acquitted. The verdict was not in  
accordance with either the law or the  
facts. It was unjust and amounted to  
an outrage."

Lorenz "Surprised."

Lorenz said:  
"The whole verdict was an outrage,  
and was a complete surprise. Sam  
Groff is the key to the whole situation.  
When the jury convicted him in the face  
of Mr. Conrad's declaration, it showed  
the kind of partisans of which it was  
composed."

Sam Groff Sarcastic.

Sam Groff said:  
"The members of the jury must con-  
sider themselves better lawyers than  
Holmes Conrad. He told them that there

was no evidence sufficient to warrant a  
conviction, in the mind of a lawyer  
of evidence against me."

"Innocent"—D. B. Groff.

Diller B. Groff said: "I know I am  
innocent. If you want anything else  
you will have to go to my attorney."

"Just"—Gregory.

Inspector Gregory, who, with Inspector  
Mayer, had been severely denounced by  
the attorneys for the defense, said:

"The verdict was eminently just. The  
conviction of Sam Groff was no more  
than was to be expected if Diller was  
to have been convicted. Diller was the  
business man, but must have told Sam  
what was going on. It should also be  
remembered that when Lorenz sent the  
contracts to the Groffs, he addressed  
them to Sam Groff, who, must have  
known what was going on."

"Unprecedented"—Douglass.

E. Scott Douglass, of special counsel  
for Machen, said:

"Not a case in English law compares  
with the conviction of Sam Groff. I  
would like to know the mental process  
by which the jury arrived at the con-  
clusions. The conviction was certainly  
an outrage."

Maddox Aroused.

Samuel Maddox, special counsel for  
the Groffs, said:

"It was the greatest possible surprise.  
Nothing like the conviction of Sam  
Groff has ever been known in the his-  
tory of English jurisprudence. I am  
glad to ask the court to set aside the  
verdict as far as it concerns Sam Groff."

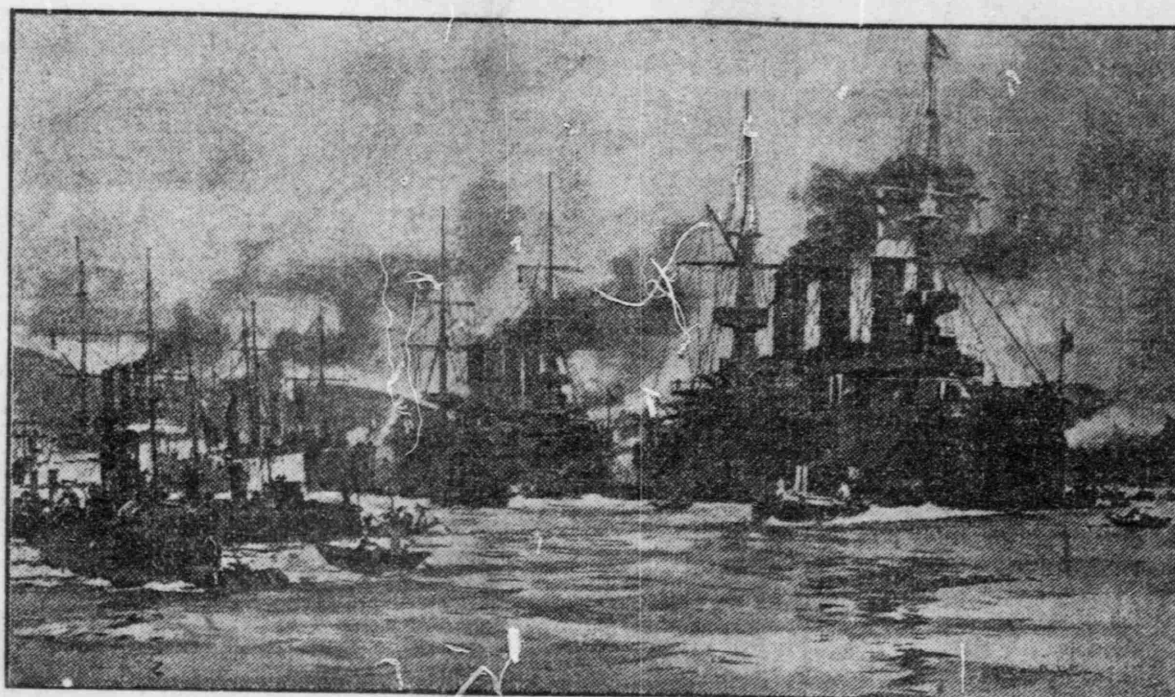
Kumler's Hopes.

John P. Kumler said:  
"I do not think that the verdict was  
at all justified. We have hopes that

Your throat troubles you. Pilo's Cure will  
stop it and cure it. At druggists. 25c.—Adv.

(Continued on Second Page.)

## RUSSIAN FLEET IN PORT ARTHUR



At the outbreak of hostilities the following ships composed the Russian fleet in the Far East: Seven battleships—  
"Tsesarevich," "Retvizan," "Poltava," "Petrovskiy," Sevastopol, Peresviet, and Pobeda—and nine cruisers—Gromoboi,  
Bayan, Rossia, Rurik, "Pallada," "Diana," "Askold," "Novik," and one other.  
Those marked with an asterisk have been put out of action.

## REMOVAL OF VASES CAUSES FRICTION

High-Handed Action in  
Rock Creek Cemetery.

### TOOK PROPERTY OFF GRAVES

Suit May Be Brought to Test Au-  
thority of Trustees in the  
Premises.

Smarting under what they claim was  
a ruthless act in the removal and de-  
struction of ornaments on some of the  
graves in Rock Creek Cemetery, hold-  
ers of lots in that burial ground who  
objected to this procedure by the  
trustees are consulting legal counsel  
with a view of bringing suit for pro-  
tection in the future.

The removal of the grave ornaments  
occurred some weeks ago, when the ex-  
ecutive committee charged with the care  
of the cemetery, issued a sweeping or-  
der to have all decorations of graves,  
except those coming under the pro-  
visions of the deed of title as "ceme-  
tery vases," removed. On a large num-  
ber of graves there were glass vases,  
many of them of great value, and the  
adornments not strictly in compliance  
with the rules drawn up by the com-  
mittee. Most of the lot holders had  
no idea such a rule would be enforced,  
and when some of them on visiting the  
cemetery found their possessions taken  
off the graves and piled in a heap they  
raised a storm of protest.

Belongs to Parish.

By the charter under which the Rock  
Creek Cemetery is governed its affairs  
are solely in charge of the vestry of the  
Rock Creek Episcopal parish. This  
vestry has authority to receive pay-  
ments for lots, and to make rules re-  
lating to their care, but it is the claim  
of those who talk of bringing suit that  
the vestry, or the committee which is  
their executive body, exceeded its au-  
thority when it undertook to remove  
glass vases which those who had paid  
for their lots put there as a matter of  
preference in decorating the graves. At  
the time the order was put into effect  
there were rumors of considerable ex-  
citement about the graves.

Mrs. Lackey, who happened to be in  
her burial lot fixing flowers when the  
workmen came to insist on the removal  
of certain objects decorating the grave,  
there, made a vigorous protest, and  
upon the men attempting to carry the  
decorations off in spite of her, she raised  
a rake which she held in her hand  
and defied them to come near the ground  
on which she stood. Mrs. Lackey, it is  
said, carried her point, and keeps the  
grave as she wants it.

Another indignant lot owner was Mc-  
Lain Brashear, of 635 Louisiana Avenue,  
who, on going to the cemetery one day,  
found that a glass vase which he kept  
filled with flowers on a family grave had  
been removed. He made a search and  
found it, he says, on a dump heap. Mr.  
Brashear determinedly put the glass  
vase back upon the grave, and to a  
member of the cemetery executive com-  
mittee whom he met later he expressed  
his indignation and defied him to enforce  
the act. Mr. Brashear says he still has  
the vase where he wants it.

A Similar Case.

A case of somewhat similar nature  
was that of a son of M. L. Moody, of  
439 Q Street northwest, former sexton  
of the church, from whose lot some  
bric-a-brac was removed. Mr. Moody is  
one of those who talks of bringing suit  
to test the rights of the committee in  
the matter.

On the other hand, the trustees of the  
cemetery claim they were acting en-  
tirely within their rights when they re-  
moved the decorations. They point to  
the following rule adopted at a meeting  
of the church vestry two years ago, of  
which due notice was given to the lot  
holders:

"Lot owners are prohibited from plac-  
ing on lots or graves all toys, boxes,  
globes, pots, shells, cans, bottles, and  
bric-a-brac of every description, except

(Continued on Tenth Page.)

## FLOODS THREATEN LOWER WASHINGTON

Sutton Warns the District  
Authorities.

### ADDITIONAL MONEY NEEDED

Congress Will Be Asked for \$5,000  
More to Enable Harbor Master  
to Keep Channel Clear.

Unless Congress appropriates \$5,000 to  
be used by Harbor Master Sutton in  
the work of keeping the river free of  
ice-gorges in the Potomac River which  
will flood the lower part of Wash-  
ington.

The fact was made known to Dis-  
trict Commissioner Macfarland today by  
Mr. Sutton, who reports that the \$5,000  
appropriated for his use the middle of  
last month will be exhausted by Tues-  
day next, at the latest.

On January 7 last, the Commissioners,  
on suggestions from the Harbor Master,  
asked Congress to appropriate \$10,000 to  
be devoted to keeping the river free of  
ice. Congress gave only half of the  
sum asked. This \$5,000 has been care-  
fully husbanded by Mr. Sutton, but the  
expense of chartering tugs to attack the  
ice fields is heavy.

"If Congress had granted us the  
\$10,000 we asked last month," said Mr.  
Macfarland today, "we would not now  
be confronted with the inconvenience  
that a further request for money will  
be asked immediately to grant the fur-  
ther appropriation of \$5,000. It is absolutely  
necessary."

Mr. Sutton has done his best to make  
the first \$5,000 last, but it was impos-  
sible to make it hold out through the  
winter. I wish to compliment him es-  
pecially on his work. As soon as Mr.  
West returns on Monday we will talk  
over the commodore's request for more  
money, and I think Congress will be  
asked immediately to grant the fur-  
ther appropriation of \$5,000. It is absolutely  
necessary."

Under Consideration.

The great leaders under consideration  
are Alexander the Great, Caesar, Han-  
nibal, Napoleon, Frederick the Great,  
Napoleon and Wellington.

To choose Napoleon and omit Wellington  
would cause heartburning on the  
part of England. Russia would be glad  
to have its great general, Souvarof,  
honored with a place.

Philadelphia "Potato Patch" Scheme to Be  
Elucidated by Superintendent With  
Stereopticon Views.

R. F. Powell, the superintendent of  
city farm gardens in Philadelphia, will  
give a stereopticon lecture on Monday  
night at the Shoreham Hotel for the  
purpose of arousing public interest in  
Washington in the matter of obtaining  
for this city gardens worked to a large  
extent by school children for their own  
benefit.

The Monday Night Club and the Fruit  
and Flower Guild, who are in charge of  
the movement, explain that the design  
is to secure from real estate dealers  
for temporary use vacant plots of

ground throughout the city to be used  
as gardens. In these gardens children  
will be given work and will be able  
to raise flowers and vegetables which  
they can use at home or for sale. The  
vacant lots are to be given up so soon  
as the real estate dealers shall require  
them for building purposes.

The object of the movement is to give  
employment to the children who are  
not at work in the summer, and who  
want something to do. Mr. Powell re-  
ports that the plan has worked very  
successfully in Philadelphia and other  
large cities.

ACCEPTANCE OF HANDEL  
STATUE RECOMMENDED

Commissioner Macfarland today trans-  
mitted to the House a letter recom-  
mending the acceptance by Congress of  
the bronze statue of George Friedrich  
Handel, the eminent musical composer.  
The statue was awarded to the United  
Singing Societies of Washington as the  
successful contestants at the national  
singerfest held last June in Baltimore,  
and donated by the societies to the  
District of Columbia.

Mr. Macfarland requests that provi-  
sion be made for a suitable pedestal and  
site to be placed in a public reservation.

Best Lumber, \$1.50 Per 100 Feet.

Frank Libbey & Co., 6th & N. Y. Ave.—  
Adv.

## FREDERICK MAY FACE NAPOLEON

Diplomats Aroused Over  
Assignment of Space.

### AT THE ARMY WAR COLLEGE

To Omit Wellington Would Cause Eng-  
lish Heartburning—Department  
in a Quandary.

Assignment of space on Statuary Ter-  
race, at the Army War College, prom-  
ised to develop an international squa-  
ble which will equal the battles fought  
in Congress concerning the men who  
were to have a place in Statuary Hall.

The announcement that Frederick the  
Great may be compelled to stand face  
to face with Napoleon has caused any-  
thing but peace in diplomatic circles,  
and there is much speculation as to  
what other great soldiers will have a  
place before the nation's school of war.

Germany's Gift.

The statues of either four or six of  
the world's great soldiers will have a  
place on the terrace, which is to be in  
the esplanade before the college build-  
ings at Washington Barracks. The  
gift of a statue of Frederick the Great  
to the United States by Emperor Wil-  
liam supplied one of the desired statues.

Now the leading question is, Who shall  
the others be? The War Department  
must decide, and in taking action it is  
apt to stir up international unpleasant-  
ness.

Under Consideration.

The great leaders under consideration  
are Alexander the Great, Caesar, Han-  
nibal, Napoleon, Frederick the Great,  
Napoleon and Wellington.

To choose Napoleon and omit Wellington  
would cause heartburning on the  
part of England. Russia would be glad  
to have its great general, Souvarof,  
honored with a place.

Under Consideration.

The great leaders under consideration  
are Alexander the Great, Caesar, Han-  
nibal, Napoleon, Frederick the Great,  
Napoleon and Wellington.

To choose Napoleon and omit Wellington  
would cause heartburning on the  
part of England. Russia would be glad  
to have its great general, Souvarof,  
honored with a place.

Under Consideration.

Under Consideration.

Under Consideration.

Under Consideration.

Under Consideration.

Under Consideration.

Under Consideration.

Under Consideration.

Under Consideration.

Under Consideration.

Under Consideration.

Under Consideration.

Under Consideration.

Under Consideration.

Under Consideration.

Under Consideration.

Under Consideration.

Under Consideration.

Under Consideration.

Under Consideration.

Under Consideration.

Under Consideration.

Under Consideration.

## JAPS TO STRIKE IN NORTH KOREA

Military Experts Agree That Operations at  
Port Arthur Were a Ruse to Hide  
Big Land Movements.

### FIERCE BATTLE IS PENDING BETWEEN ARMIES ON THE YALU

Reports Point to Effort of Mikado's Gene-  
rals to Divide Czar's Forces and  
Fight Them Separately.

LONDON, Feb. 27.—There is today  
little doubt in the minds of military  
men and those in close touch with  
events in the Far East that Japan is  
about ready to strike in northern  
Korea, and that within a few days at  
the most the Yalu and points south of it  
will see a battle terrific in its fighting  
and dreadful in its results to one nation  
or the other.

The events of the past few days have  
cleared away considerable of the mys-  
tery surrounding the plans of the  
Japanese, and it now looks as though  
the coming battle and the preparation  
for it have been the objects of all the  
recent acts of the Mikado's forces.

A military expert, speaking of the at-  
tempt of the Japanese to bottle up the  
fleet at Port Arthur and the continued  
bombardment of that port, this morning  
said:

"One must take the Japanese proceed-  
ings at Port Arthur as an intimation  
that decisive events are in progress  
where, and that the task allotted to the  
fleet is to keep the Russian squadron  
fully occupied in its own defense."

This opinion, which was expressed in  
these dispatches on Thursday and re-  
iterated yesterday, has now become  
general.

The Situation Today.

The situation today, tersely put, is as  
follows:

The Russian land force on the banks  
of the Yalu is rapidly throwing out  
advance guards and scouts, who are keep-  
ing clear the road from Wiju to Anju,  
some seventy miles south of the river.  
Twenty-five miles away from these  
scouts is the most northerly limit of the  
Japanese force, at Ping-Yang, while  
south of them, leading all the way to  
Seoul and Chemulpo, the coast base of  
the Japanese, are Japanese troops, out-  
numbering us far better condition than,  
if reports are to be credited, the  
Russians.

At Possiet Bay, southwest of Vladiv-  
ostok, in Manchuria, and between the

most probable scene of the first serious  
encounters.

"A Japanese landing at Possiet Bay is  
reported. As the ice on this part of the  
coast does not clear off until April, Pos-  
siet Bay cannot be considered a favor-  
able landing place for a large force at  
the present season, while the rugged-  
ness of the country, the absence of sup-  
plies, and the poverty of communica-  
tions render it an uninviting objective  
save as a local base for an attack on  
Vladivostok at a later period."

More Raiding Parties.

"But it is quite possible that the Ja-  
panese may have landed raiding parties  
to endeavor to break up the lines which  
run from Harbin toward Vladivostok and  
Port Arthur. As a landing in this quar-  
ter will be unexpected at this time of  
the year, the raiding parties might hope  
to take full advantage of a surprise."

"There can be no doubt, judging from  
the facts before us, that the clearing up  
of the situation on the Yalu is the first  
military interest of the moment."

Effect of Victory.

"The Japanese army has never en-  
countered a European foe, and the prudent  
statesmen who direct the councils  
of the Japanese are not likely to fail to  
take into account the tremendous moral  
results of a first success."

"Here is the Russian force on the Yalu,  
separated by a great distance from the  
other fractions of the Russian army.  
Here, on the other side, is the whole  
mass of amphibious force, fit and ready  
to strike. The chance of an initial suc-  
cess is too great to be disregarded."

"It is a gift from the gods. If a com-  
bined attack by sea and land can hope  
to destroy the Russian force on the Yalu  
it would be flying in the face of fortune  
to neglect the opportunity."

In Northern Korea.

"Where the first blow will fall remains  
a secret, but the scouts of the two ar-  
mies in northern Korea are in touch be-  
tween Anju and Ping-yang, and this  
part of the theater of war remains the

most probable scene of the first serious  
encounters.

"A Japanese landing at Possiet Bay is  
reported. As the ice on this part of the  
coast does not clear off until April, Pos-  
siet Bay cannot be considered a favor-  
able landing place for a large force at  
the present season, while the rugged-  
ness of the country, the absence of sup-  
plies, and the poverty of communica-  
tions render it an uninviting objective  
save as a local base for an attack on  
Vladivostok at a later period."

More Raiding Parties.

"But it is quite possible that the Ja-  
panese may have landed raiding parties  
to endeavor to break up the lines which  
run from Harbin toward Vladivostok and  
Port Arthur. As a landing in this quar-  
ter will be unexpected at this time of  
the year, the raiding parties might hope  
to take full advantage of a surprise."

"There can be no doubt, judging from  
the facts before us, that the clearing up  
of the situation on the Yalu is the first  
military interest of the moment."

Effect of Victory.

"The Japanese army has never en-  
countered a European foe, and the prudent  
statesmen who direct the councils  
of the Japanese are not likely to fail to  
take into account the tremendous moral  
results of a first success."

"Here is the Russian force on the Yalu,  
separated by a great distance from the  
other fractions of the Russian army.  
Here, on the other side, is the whole  
mass of amphibious force, fit and ready  
to strike. The chance of an initial suc-  
cess is too great to be disregarded."

"It is a gift from the gods. If a com-  
bined attack by sea and land can hope  
to destroy the Russian force on the Yalu  
it would be flying in the face of fortune  
to neglect the opportunity."

In Northern Korea.

"Where the first blow will fall remains  
a secret, but the scouts of the two ar-  
mies in northern Korea are in touch be-  
tween Anju and Ping-yang, and this  
part of the theater of war remains the

most probable scene of the first serious  
encounters.

A Japanese landing at Possiet Bay is  
reported. As the ice on this part of the  
coast does not clear off until April, Pos-  
siet Bay cannot be considered a favor-  
able landing place for a large force at  
the present season, while the rugged-  
ness of the country, the absence of sup-  
plies, and the poverty of communica-  
tions render it an uninviting objective  
save as a local base for an attack on  
Vladivostok at a later period."

More Raiding Parties.

"But it is quite possible that the Ja-  
panese may have landed raiding parties  
to endeavor to break up the lines which  
run from Harbin toward Vladivostok and  
Port Arthur. As a landing in this quar-  
ter will be unexpected at this time of  
the year, the raiding parties might hope  
to take full advantage of a surprise."

"There can be no doubt, judging from  
the facts before us, that the clearing up  
of the situation on the Yalu is the first  
military interest of the moment."

Effect of Victory.

"The Japanese army has never en-  
countered a European foe, and the prudent  
statesmen who direct the councils  
of the Japanese are not likely to fail to  
take into account the tremendous moral  
results of a first success."

"Here is the Russian force on the Yalu,  
separated by a great distance from the  
other fractions of the Russian army.  
Here, on the other side, is the whole  
mass of amphibious force, fit and ready  
to strike. The chance of an initial suc-  
cess is too great to be disregarded."

"It is a gift from the gods. If a com-  
bined attack by sea and land can hope  
to destroy the Russian force on the Yalu  
it would be flying in the face of fortune  
to neglect the opportunity."

In Northern Korea.

"Where the first blow will fall remains  
a secret, but the scouts of the two ar-  
mies in northern Korea are in touch be-  
tween Anju and Ping-yang, and this  
part of the theater of war remains the

Russian base and the forces on the  
Yalu, another Japanese force is re-  
ported, ready and planning to cut all  
communication between the two Rus-  
sian forces.

What this signifies is clearly apparent.  
The Yalu force will have to fight its  
battles without hope of aid from the  
north, at least for many days to come,  
while the Japanese have their troops in  
practical battle array, with unlimited  
opportunities for re-enforcing during  
Japan, both by sea and land and also by trans-  
port along the coast.

Ruse at Port Arthur.

It is for the prevention of the inter-  
ruption of this latter facility that Japan  
continues her attacks on Port Arthur.  
Had the blocking of the harbor of Port  
Arthur succeeded, instead of being fol-  
lowed, as is now admitted by the Japanese  
themselves, the bombardment would not  
have been necessary, for then no ships  
could have escaped from the harbor to  
harass the Japanese transports along  
the Korean coast. Now, however, it is  
needed that a heavy force be kept at  
the port, and a constant and close scru-  
tiny be kept on the torpedoes and other  
flotilla in the harbor, that they do not  
slip through the net and spoil the care-  
fully laid plans of Admiral Togo.

Regarding the imminence of the battle  
on Korean soil, the military correspond-  
ent of the "Times" echoes the opinion  
prevailing in army circles in the fol-  
lowing statement:

"Unless the Russian destroyers at  
Port Arthur can gain the open sea un-  
observed, and reach the point of assem-  
bly of the Japanese transports during  
the critical operations of disembarka-  
tion, there seems little chance of inter-  
ference with the Japanese plans. The  
present chance of an initial Japanese  
success is too great to be disregarded."

It is a gift from the gods. If a com-  
bined attack by sea and land can hope  
to destroy the Russian force on the  
Yalu, it would be flying in the face of  
fortune to neglect the opportunity."